

Tyson Co. Head Double-Crossed, He Says in Suit

J. Fallon Demands Return of Stock Deposited for Loans, Accusing Trusted Agent of Selling Him Out

Bank Control Involved

Investigation Reveals Financing Methods of Rockville Center Group; Many in Tangle

William J. Fallon, of Setauket, L. I., president of the Tyson Company, then a stockbroker, obtained a temporary injunction from Justice Donnelly in the Supreme Court yesterday restraining several defendants from disposing of shares of stock which he deposited with them for loans, some of which he alleges have been diverted to the use of other persons.

One of the defendants against whom the injunction was granted is William E. Kniffen Jr., vice-president, manager and a director of the Bank of Rockville Center, of which the plaintiff is the principal stockholder. Other defendants are the Baldwin National Bank and several of its officials, and Mrs. Delano, president of the Bank of Rockville Center.

The control of the Bank of Rockville Center also is involved in the action brought by Mr. Fallon, and the effect of the injunction will be to prevent the defendants from disposing of any of the bank stock or voting it while the case is pending determination.

Mr. Fallon alleges that three other defendants, George Powers, Harry Kniffen and Louis Abrams, now are in possession of stock of the Bank of Rockville Center belonging to the plaintiff and which they acquired through the unauthorized acts of Mr. Kniffen.

It was on the advice of Mr. Kniffen that he bought the controlling interest in the Rockville Center institution, says Mr. Fallon. He obtained this control by buying 503 shares, whose value is \$200 a share. It was after that that Mr. Kniffen was elected president and director.

"When I discovered that my confidence in him was misplaced," Mr. Fallon adds, "I demanded the return of my stock in the Bank of Rockville Center at the same time offering to pay whatever sums he had advanced against it at my request, and he informed me that he would never return the said shares of stock, stating that he did not care what names I called on or whether I thought he had betrayed me or not."

Between 1917 and 1922, says Mr. Fallon in his affidavit, he intrusted to Mr.

Kniffen 263 shares of the Bank of Rockville Center, 10 shares of the Tinker National Bank, 23 shares of the Bank of Suffolk County and 10 shares of the First National Bank of Port Jefferson, as collateral for loans negotiated for the plaintiff. Of the Rockville Center bank shares, fifty shares were pledged with the Gotham National Bank of this city for a loan of \$9,000. Mr. Fallon complains that Mr. Kniffen, whom he had regarded as his trustee, failed to notify him when the loan matured, but instead paid it himself and got back the stock deposited as security. Then, according to the allegations of Mr. Fallon, Mr. Kniffen, without his knowledge, transferred sixteen shares to Mr. Powers and Mr. Delano.

Complaining further, Mr. Fallon says that upon the advice of Mr. Kniffen he transferred thirty shares of the Rockville Center bank stock to his brother, Thomas J. Fallon, secretary of the Tyson Company, to be used as his agent in negotiating a loan of \$6,000 at the Lynbrook National Bank. Mr. Fallon says he paid \$1,000 on this loan, but that Mr. Kniffen failed to inform him of the maturity of the loan, paying it himself and transferring the bank stock to Mr. Loscamp.

In December last, Mr. Fallon alleges, Mr. Kniffen informed him that he had paid the loan at the Citizens' Bank of Freeport and had got the stock back. At the same time this defendant is said to have advised Mr. Fallon that certain of the directors of the Bank of Rockville Center had refused to cooperate with him, and (Mr. Kniffen) advised that they be not re-elected as directors. Upon the alleged request of Mr. Kniffen, says Mr. Fallon, he transferred thirty-five shares of the bank stock to five men, namely, William Gernus, William Boardman, Jeremiah Wood, George Phelps and Morley Dunn, to qualify them as directors, and they were elected. But following their election, Mr. Fallon complains, they refused to transfer the shares back to him, asserting they are the owners, free of any agreement to re-transfer them.

Mr. Fallon asks an accounting in his court action and also wants his stock returned to him upon repayment of the loans.

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Former Miss Helms Will Continue Her Fight for Alimony

Appeal To Be Taken From Decision Denying Plea on Ground That Allegations Failed to Convince

The next step in the many-sided litigation resulting from the marriage of Miss Thelma Helms, daughter of Mr. and Mrs. Herman Helms, to Angelo Scarpa Foster, adopted son of Mrs. Nona McAdoo Foster, sister of William G. McAdoo, formerly Secretary of the Treasury, it was announced yesterday, will be an appeal by Norman P. Schloss, attorney for the younger Mrs. Foster, from the decision of Justice Marsh, denying her alimony and counsel fees in a suit for separation. Mrs. Foster is suing on the ground of abandonment.

The Justice held that the allega-

tions of Mrs. Foster were not sufficiently convincing to warrant granting alimony.

Mrs. Foster, the foster-mother of the young husband, submitted an affidavit in the separation case, in which she said, "The marriage of Mrs. Thelma Helms Foster was brought about by the Whitneys as a part of a preconceived scheme to deprive me of my money and to prevent me from exposing the plot, which has almost ruined me."

The Whitneys referred to by Mrs. Foster are Charles M. Whitney Sr., grandfather of the younger Mrs. Foster, and Charles M. Whitney Jr., her uncle. Mrs. Nona McAdoo Foster alleges that they induced her to sell \$75,000 in securities to invest in the Whitney-Foster Corporation, a real estate concern. According to counsel for the younger Mrs. Foster, the statement of her husband's foster mother was injected into the proceedings to confuse the issues in the \$50,000 alienation suit which Mrs. Thelma Helms Foster has brought against Mrs. Nona McAdoo Foster. In this action, it is alleged by the plaintiff that her husband told her his foster mother threatened to withdraw her financial support and also disinherit him if he continued to live with his wife. It also was pointed out that the said in an address to-day to the

Whitney-Foster concern was formed long before the courtship that ended in the marriage of Miss Helms to Mr. Foster.

Mr. Foster was Angelo Scarpa. He came here from Italy to go into grand opera. Mrs. Foster adopted him as her son, and when he abandoned his plans for an operatic career his foster mother, it is said, sought a business career for him by founding the Whitney-Foster Corporation.

Gary Says Roosevelt Changed Business Ethics

Tells Northwestern U. Alumni Right Is Now Recognized as Superior to Might

EVANSTON, Ill., June 17.—"A large majority of businessmen now conduct their affairs in accordance with the avowed belief that right is superior to might; that morality is on a par with legality and that the observance of both is essential to worthy achievement," Elbert H. Gary, chairman of the United States Steel Corporation, said in an address to-day to the

Alumni Association of Northwestern University.

Business men also recognize, Judge Gary said, "that the right of customers must always be respected; that employees are associates rather than servants and should be treated accordingly; that stockholders of corporations as well as partners are entitled to any information immediately upon receipt of the same by any officer or partner; that destructive competition must give way to humane competition, and that full and prompt publicity of all facts involving the public weal is demanded."

Judge Gary, whose subject was "Ethics in Business," said that "within the last twenty years or more there has been a decided change in the standards and conduct of business."

Among the reasons the speaker cited for the "radical change" in ethical standards in business was the influence of Theodore Roosevelt, who had many disciples, and with their assistance created a strong public opinion in favor of honest business management.

Judge Gary offered as "a passing suggestion" the observance "that henceforth the political party which pays the most attention to ethics is likely to secure indorsement by the majority of voters, including especially women."

BEST & CO., SUMMER FASHIONS FOR The Junior Miss



A shimmering sky-blue taffeta makes this bouffant frock from Miller Soeurs. The yoke and tiny cap sleeve are emphasized with net trimmed in silver braid.

Turquoise blue crepe roma has a slim little Victorian bodice, and prim festoons of pink velvet and roses on the skirt. It is another of Miller Soeurs models.

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- | | |
|------------------------------------|----------------|
| Paris handmade voile dresses | 12.95 to 32.50 |
| Imported crepe de chine dresses | 29.50 to 45.00 |
| Tailored tub silk dresses | 16.50 to 25.00 |
| Smart checked gingham dresses | 5.00 to 19.50 |
| Linen dresses in light colors | 12.95 to 35.00 |
| White and colored dotted swiss | 11.75 to 16.00 |
| Plain and pleated wash skirts | 2.95 to 7.50 |
| Plain and pleated silk skirts | 10.95 to 13.50 |
| Khaki or linen riding habits | 15.00 to 19.50 |
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1500	Imported Silk Foulards	5.00	1.98
2500	Fancy and plain Georgette Crepes	3.50	1.75
1900	Changeable Sports Satins	7.00	3.95
850	Satin Surah (imported)	4.00	1.95
900	Imported Navy Taffeta—40 inches	4.00	1.95
540	White Firshen Crepe	Special	3.45
1000	Heavy White Silk Broadcloth	3.75	2.25
200	Crinkled Sports Crepe—In White	5.00	3.95
450	White Brocade Sports Silk	12.95	5.95
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